

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	No. 08 CR 0122
v.)	Hon. Harry D. Leinenweber
)	
KEVIN WADDELL)	

MOTION TO PRESERVE AGENT NOTES

Kevin Waddell, defendant herein, by and through his attorney, Gary Ravitz, moves this Court to enter an order requiring the government to preserve the original notes of various investigative agents made in the course of interviewing prospective witnesses in this case, and also to preserve any draft (tape) transcripts which may have been shown to or reviewed by witnesses. In support of this motion, Mr. Waddell states:

1. Preservation and production of agents' notes may be necessary to ensure full compliance with 18 U.S.C. 3500 and the requirements of *Brady v. Maryland*, 373 U.S. 83 (1963).
2. In this case, the government may introduce tape recordings with corresponding transcripts. Mr. Waddell anticipates that drafts of such tape transcripts were prepared initially not by the potential witnesses, but by government agents.
3. This motion to preserve notes and transcripts is intended to apply not only to Mr. Waddell, but, at minimum, to notes and transcripts relating to the codefendants and coconspirators.

WHEREFORE, Kevin Waddell asks for an order requiring the government to preserve and, if this cause proceeds to trial, to seasonably produce its agents' notes and draft tape transcripts.

Respectfully submitted,

s/ Gary Ravitz

Gary Ravitz, attorney for Kevin Waddell

Ravitz & Palles, P.C.
203 N. La Salle, Ste. 2100
Chicago, Illinois 60601
(312) 558-1689